IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1432 OF 2004

In Defence of Animals ..Petitioner.

Vs.

Union of India & Ors. .. Respondents.

....

Mr. Raj Punjwani, Amicus Curiae present.
Mr. B.A. Desai, Additional Solicitor General with Mr. Suresh Kumar for respondent No.1.
Mr. V.A. Thorat, Advocate General with Mr. P.M. Mokashi, AGP for respondent No. 2.
Ms. A.R. Joshi for respondent No.3.

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CORAM : DALVEER BHANDARI, C.J.&
DR.D.Y.CHANDRACHUD, J.

20th October, 2004.

P.C. :

In pursuance to the directions passed by a Division Bench of this Court in PIL Writ Petition No.9 of 2001, the Court passed following order :

> "We, therefore, direct the Registry to place the papers before the Honourable the Chief Justice of Bombay High Court for further and necessary action for formation of larger Bench to consider the following issues:-
>
> (1)Whether in the circumstances and seriousness of the problem, the danger posed and the menace caused by the

stray dogs, resort can be had to the provisions of Sub-section (3) of Section 11 of the Prevention of Cruelty to Animals Act, 1960 and the relevant provisions of the Bombay Municipalities Act, Maharashtra Municipalities Act and Goa Municipalities Act and other enactments:

(2) Whether inspite of the aforesaid provisions of Sub-section (3) of Section 11 of the Prevention of Cruelty to Animals Act, 1960 and other Acts referred to above, the killings of the stray dogs has to be totally prohibited."

This matter be placed before a Full Bench along with other connected matter on 6th December, 2004.

We request Mr. Punjwani to assist the Court.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J.